

STATE OF CONNECTICUT  
DEPARTMENT OF HEALTH SERVICES  
BUREAU OF HEALTH SYSTEM REGULATIONS  
DIVISION OF MEDICAL QUALITY ASSURANCE

In re:

Kathleen Gallagher, L.P.N.

Petition No. 870618-11-009

CONSENT ORDER

WHEREAS, Kathleen Gallagher, L.P.N., of Brewster, New York has been issued license number 021371 to practice as a licensed practical nurse by the Department of Health Services pursuant to Chapter 378 of the General Statutes of Connecticut, as amended; and

WHEREAS, Kathleen Gallagher, L.P.N., hereby admits and acknowledges that she is licensed as a nurse in Connecticut and New York and does not have licensure pending in any other state.

WHEREAS, the Department of Health Services alleges that while working as a licensed practical nurse at the Lea Manor Health Care Center, Kathleen Gallagher, L.P.N., violated §20-99(b) by her conduct during the attempted resuscitation of a patient on January 29, 1986.

WHEREAS, Kathleen Gallagher, L.P.N., in consideration for this Consent Order has chosen not to contest the allegations of violation of Connecticut General Statutes §20-99(b). Kathleen Gallagher, L.P.N., while admitting no guilt or wrongdoing, agrees that for purposes of proceedings before the Connecticut Board of Examiners for Nursing, in which her licensed practical nurse license is at issue, that this Consent Order may enter.

NOW THEREFORE, pursuant to §19a-17 and §20-99(a) of the Connecticut General Statutes, Kathleen Gallagher, L.P.N., hereby stipulates and agrees to the following:

1. That she waives the right to a hearing on the merits of this matter.
2. That she shall become certified or recertified (if she has in the past been certified) in an American Red Cross approved course on the administration of Cardio-Pulmonary Resuscitation.
3. That she will provide to the Connecticut Board of Examiners for Nursing within 90 days of the effective date of this Consent Order proof of successful completion of said course.
4. That all correspondence is to be addressed to:

Office of the Board of Examiners for Nursing  
Department of Health Services  
150 Washington Street  
Hartford, CT 06106

5. That any deviation from the term(s) listed above shall constitute a violation of the Consent Order. A violation of any term(s) of the Consent Order specified in paragraphs 2 and 3. above shall result in the right of the Connecticut Board of Examiners for Nursing to immediately revoke her licensed practical nurse license. Any extension of time or grace period for reporting granted by the Connecticut Board of Examiners for Nursing shall not be a waiver or preclude the Board's right to revoke at a later time. The Connecticut Board of Examiners for Nursing shall not be required to grant future extensions of time or grace periods. Notice of revocation shall be sent to her address of record (most current address reported to the Licensure and Renewal Section of the Division of Medical Quality Assurance of the Department of Health Services or the Connecticut Board of Examiners for Nursing).

6. That this Consent Order is effective the first day of the month immediately following the date said Consent Order is ordered and accepted by the Connecticut Board of Examiners for Nursing.
7. That she understands this Consent Order is a matter of public record.
8. That she understands that this Consent Order may be considered as evidence of the above admitted violations in any proceeding before the Connecticut Board of Examiners for Nursing (1) in which her compliance with this same order is at issue, or (2) in which her compliance with §20-99(b) of the General Statutes of Connecticut, as amended, is at issue.
9. That this Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, that said order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive her of any rights that she may have under the laws of the State of Connecticut or of the United States.
10. That she permits the Public Health Hearing Office of the Division of Medical Quality Assurance, Department of Health Services or a representative thereof to present this Consent Order and the prehearing review documents to the Connecticut Board of Examiners for Nursing. She understands that the Connecticut Board of Examiners for Nursing has complete and final discretion as to whether an executed Consent Order is approved or granted.
11. That she understands that she has the right to consult with an attorney prior to signing this document.

I, Kathleen Gallagher, L.P.N., have read the above Consent Order, and I agree and admit to the terms and allegations set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Kathleen Gallagher  
Kathleen Gallagher, L.P.N.

Subscribed and sworn to before me this 10th day of November 1987.

Margaret L. Lavoie  
Notary Public or person authorized by law  
to administer an oath or affirmation

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Health Services on the 13th day of November 1987, it is hereby accepted.

Stanley K. Peck  
Stanley K. Peck, Director  
Division of Medical Quality Assurance

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the 18th day of November 1987, it is hereby ordered and accepted.

CONNECTICUT BOARD OF EXAMINERS FOR NURSING

By: Bette Jane M. Murphy, RN  
Bette Jane M. Murphy, R.N., Chairperson  
Connecticut Board of Examiners for Nursing

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